

Vice-Chairman Rod Johnson called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Boyle, Rod Johnson, Landis and Vap present and Commissioner Lowell Johnson excused.

GENERAL ADMINISTRATION

Notice was duly published May 23, 2006 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held May 31, 2006 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Thursday, June 1, 2006:

C-3049 Commission Hearing Room, Lincoln.
10:00 In the Matter of the Commission, on its own motion, seeking to conduct an investigation into possible solutions for extending the life of area codes 308 and 402. Commissioner Boyle presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

AD-346r In the Matter of the Omaha Public Library, Omaha, seeking authority to register and connect an automatic dialing-announcing device: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

C-3206 In the Matter of the Commission, on its own motion, seeking to administer the Nebraska Internet Enhancement Fund. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order adopting grant documents, forms and grant schedule. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

Shana Knutson introduced the new law clerk, Matthew Jansen, to the Commission.

C-3559/
DC-72 In the Matter of the Commission, on its own motion, seeking compliance on the 2005 Annual Report filings: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order to dismiss the complaint in part. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3586 In the Matter of ICG Telecom Group, Inc., Englewood, Colorado, seeking to withdraw its Certificates of Public Convenience and Necessity and cancel its tariffs: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

C-3584 In the Matter of Qwest Communication, Denver, Colorado, seeking a Type 1 and Type 2 Paging Connection Service Agreement with Priority Paging, Inc, Lee, Florida: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order to approve the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

C-3585 In the Matter of Qwest Corporation, Denver, Colorado, seeking a LNP Managed Cut Amendment to its Interconnection Agreement with XO Communications, Inc., Salt Lake City, Utah, previously approved in C-3090: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order to approve the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to accept the draft letter to the political parties concerning proper use of Automatic Dialing-Announcing Devices, as proposed by Gene Hand. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

Gene Hand discussed the American Civil Liberties Union Nebraska May 24, 2006, letter filed with the Commission.

Gene Hand informed the Commissioners that Robert McDowell was confirmed to fill a Republican seat on the FCC.

UNIVERSAL SERVICE FUND

NUSF-32.05 In the Matter of the Commission, on own its motion, seeking to conduct an investigation into the failure of Lightyear Network Solutions, LLC, Louisville, Kentucky, to comply with Commission orders and to impose administrative fines. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order dismissing the show cause proceeding and canceling the hearing previously scheduled for June 20, 2006. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

NUSF-37.84 In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainant, v. Tele-national Communications, Incorporated, Omaha, Respondent: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint and canceling the hearing previously scheduled on July 11, 2006. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

Jeff Pursley reported on Late-Filed Carrier Remittances: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to levy a late fee against Business Productivity Solutions, Inc., Minneapolis, Minnesota and, that a Complaint be filed against Virgin Mobile USA, Inc., Warren, New Jersey. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

E911 DEPARTMENT

Joan Raffety informed the Commission of a payment report.

Joan Raffety also informed the Commission that Long Lines Wireless would be moving into Nebraska in August, with a presence in Thurston, Dixon and Dakota Counties.

TRANSPORTATION DEPARTMENT

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-F: The fuel surcharge was retained at 70 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to approve placing an insert in the July edition of the Farm Service Agency newsletter and to cover the cost for said insert. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

In the Matter of John A. Fecht, Director, Warehouse Department, Complainant, v. the following Respondents: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order to show cause and schedule a hearing for July 18, 2006 at 1:30 p.m., in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting. Commissioner Rod Johnson was appointed as Hearing Officer.

GW-145	Auburn Elevator Company, Auburn.
GW-2045	Humphrey Feed & Supply, Inc.
GW-2093	Sherman Inc., d/b/a Sherman Feed & Supply, Auburn.
GD-1746	George L. Verbeek, d/b/a Verbeek Trucking, Roca.
GD-2872	West Plains Grain, Inc., Hay Springs.
GW-2896	Behmer Trucking, Inc., Winside.

GENERAL ADMINISTRATION

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to approve the following Commission invoice. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Lowell Johnson excused not voting.

DAS-Communications	\$	3,111.75
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The meeting adjourned at 10:34 a.m. with Commissioners Boyle, Rod Johnson, Landis and Vap present and Commissioner Lowell Johnson excused. The next regularly scheduled meeting will be held on June 6, 2006, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on June 5, 2006.

Vice-Chairman

Deputy Director